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9	BEFORE THE BOARD OF REGISTERED NURSING
10	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA
11	297
12	In the Matter of the Accusation Against: Case No. 2011-397
13	MAY ZOE LLANOS, a.k.a. MAY ZOE BOBITA LLANOS, a.k.a. MAY ZOE
14	VADIL A C C U S A T I O N
	502 Dorsey Drive El Paso, Texas 79912
15	Registered Nurse License No. 750605
16	Respondent.
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18	Complainant alleges:
19	PARTIES
20	1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21	official capacity as the Interim Executive Officer of the Board of Registered Nursing, Departmen
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23	of Consumer Affairs.
24	2. On or about May 18, 2009, the Board of Registered Nursing issued Registered Nurse
25	License Number 750605 to May Zoe Llanos, also known as May Zoe Bobita Llanos, also known
26	as May Zoe Vadil (Respondent). The Registered Nurse License was in full force and effect at all
27	times relevant to the charges brought in this Accusation and will expire on June 30, 2011, unless
	renewed.
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JURISDICTION

- 3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.
- 4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.
- 6. Section 118(b) of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

STATUTORY/REGULATORY PROVISIONS

7. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- "(a) Unprofessional conduct, which includes, but is not limited to, the following:
- "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action."

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COST RECOVERY

8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

CAUSE FOR DISCIPLINE

(Unprofessional Conduct – Out of State Discipline) (Bus. & Prof. Code §2761(a)(4))

Respondent has subjected her registered nurse license to disciplinary action under 9. Code section 2761(a)(4) in that on or about February 9, 2010, in a disciplinary action before the Texas Board of Nursing (Texas Board), the Texas Board entered an Agreed Order (Order), ordering that Respondent be reprimanded with stipulations. The Order required Respondent to: (1) not work outside of the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board and the Board in the party state where Respondent wishes to work; (2) deliver her wallet-sized license to the Texas Board within 10 days of entry of the Order: (3) within one year after entry of the Order, successfully complete a six-hour minimum Texas Board-approved course in Texas nursing jurisprudence and ethics; (4) within one year after entry of the Order, successfully complete a six-hour minimum Texas Board-approved course in physical assessment with a minimum 24-hour clinical component; (5) within one year after entry of the Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing Learning Extension; (6) within 60 days after entry of the Order, successfully complete an eighthour minimum Board-approved course in basic cardiopulmonary life support for healthcare providers; (7) if working as a nurse in the State of Texas, provide direct patient care and practice in a hospital, nursing home, or other clinical setting, and work in such setting for a minimum of 64 hours per month for one year of employment; (8) notify each present employer in nursing of the Order and stipulations on her license and present a copy of the Order to each present and future employer; (9) cause each present and any future employer in nursing to submit the Notification of Employment form to the Texas Board; (10) work under the supervision of a

registered nurse who has at least two years of experience in the same or similar practice setting in which Respondent is working, is on the facility grounds with Respondent, and is readily available to provide assistance and intervention if necessary; (11) work only in regularly assigned, identified, and predetermined unit(s); (12) not be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency; (13) not be self-employed or contract for services; (14) not work for multiple employers; and (15) for one year, cause each supervisor to submit quarterly reports regarding Respondent's capability to practice nursing. Respondent signed the Order on or about December 28, 2009.

10. The underlying conduct supporting the Texas Board's disciplinary action is that on or about December 17, 2006, while employed with Sierra Medical Center in El Paso, Texas, Respondent failed to assess and initiate emergency interventions when a patient was found unresponsive and not breathing, with a blood pressure reading of 0/0. After finding the patient in this condition, Respondent first obtained a blood sugar level from the patient and another nurse called the blue code. The patient expired.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

- 1. Revoking or suspending Registered Nurse License Number 750605, issued to May Zoe Llanos, also known as May Zoe Bobita Llanos, also known as May Zoe Vadil;
- 2. Ordering May Zoe Llanos, also known as May Zoe Bobita Llanos, also known as May Zoe Vadil to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
 - 3. Taking such other and further action as deemed necessary and proper.

DATED: Actober 29, 2010

LOUISE R. BAILEY, M.ED., RN/

Interim Executive Officer Board of Registered Nursing

Department of Consumer Affairs

State of California Complainant